

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JAMES WIGGINS, III,

Plaintiff,

v.

COSMOPOLITAN CASINO OF LAS VEGAS,

Defendant.

2:11-cv-01815-ECR -VCF

O R D E R

Before the court is *pro se* plaintiff James Wiggins, III's Motion To Receive Relief. (#16). Defendants filed a Response. (#20).

On November 18, 2011, the Clerk of the Court filed plaintiff's *pro se* civil rights complaint. (#5). In plaintiff's complaint, he asserts allegations against Cosmopolitan Casino of Las Vegas for (1) wrongful termination, (2) negligence in allowing harassment, and (3) "dish-room violence." *Id.* On January 27, 2012, defendants filed a motion to dismiss plaintiff's complaint with prejudice. (#8).

Plaintiff filed the instant motion on March 21, 2012. (#16). In plaintiff's motion, he seeks to "receive relief from Cosmopolitan Casino of Las Vegas for job discrimination," and asserts that he opposes "paying their legal fees when they know [he] cannot afford them even if [he] had work." *Id.* As an initial matter, defendants have not asked plaintiff to pay their legal fees. *See* (#8 and #13). Plaintiff's request for relief in this respect is denied. With regard to plaintiff's request for relief from Cosmopolitan Casino of Las Vegas for job discrimination, if plaintiff is seeking to add additional claims or factual allegations to his complaint, he must seek leave of the court to file an amended complaint. More than 21 days have passed since defendant filed its motion to dismiss. *See* Federal Rule of Civil Procedure 15(a)(1) and (2).

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1 Accordingly, and for good cause shown,

2 IT IS ORDERED that plaintiff Wiggins's Motion To Receive Relief (#16) is DENIED.

3 DATED this 2nd day of April, 2012.

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6 **CAM FERENBACH**
7 **UNITED STATES MAGISTRATE JUDGE**